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10/788,801	02/27/2004	Scott Musson	ORACL-01382US0	7864
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Fliesler Meyer LLP 650 California Street 14th Floor San Francisco, CA 94108			EXAMINER HASSAN, RASHEDUL	
			ART UNIT	PAPER NUMBER
			2179	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/788,801

Applicant(s)

MUSSON ET AL.

Examiner

RASHEDUL HASSAN

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-16, 18-30, 32-44 and 46-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-16, 18-30, 32-44 and 46-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date 07/14/2008.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/13/2008 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 18, 30, 33 and 46-49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4 and 18 recite "***the factory***" in line 2. There is insufficient antecedent basis for this limitation in the claims.

Claim 30 recites "***accept the request***" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 33 recites "**create a metadata representation of a control tree**" in line 3. It is not clear whether "**a control tree**" recited herein refers to the control tree recited in claim 30 or not.

Claim 46 recites "**generating the control tree from the factory**" in line 4 (emphasis added). There is insufficient antecedent basis for this limitation in the claim. Claims 47-49 inherit the indefiniteness due to their respective dependencies from independent claim 46.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-13, 15-16, 18-27, 29-30, 32-42, 44 and 46-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Anuff et al. (US 6,327,628 B1) hereinafter Anuff.

For claims 1, 16, and 30, Anuff anticipates a computer implemented ***method for responding to a request*** (an example of a request is disclosed in [0039] of the instant specification to be "an HTML request originating from a web browser". Anuff teaches this limitation. See c3:13-22, c6:57-65, also c14:32-36), ***comprising:***

accepting the request; (e.g., accepting a request from a browser in a client device 10 sent to a server device 12. See Fig. 1, c3:1-24).

generating a control tree based on the request; (the "control tree" is interpreted to mean relevant instantiated class objects implementing the requested GUI together with their interrelationships with each other as illustrated in Fig. 4 in Anuff).

mapping the request to the control tree wherein the control tree is a logical representation of a control taxonomy that is associated with a graphical user interface (GUI), wherein the control tree includes a set of controls which represent corresponding graphical and functional elements in web applications and are related hierarchically to one another including at least one portlet control that represents at least one portlet; (The claim requires mapping the request to the control tree. First let us consider what is meant by "the control tree". The claim defines a "control tree" as "a logical representation of a control taxonomy that is associated with a graphical user interface (GUI)". So what is "a control taxonomy that is associated with a graphical user interface"? According to the instant disclosure, "controls" represent "corresponding graphical and functional elements in web applications ... In one embodiment, a control can be implemented as one or more classes in an object oriented programming paradigm". Emphasis added, see [0028]. Therefore, "a control" is a "class" (in object oriented programming paradigm, hereinafter referred to as OOP) which is a logical representation of a corresponding graphical and functional element in a web application. Therefore "a control taxonomy" is merely a conceptual view of a collection of classes

implementing (e.g., associated with) a graphical user interface arranged into various categories. The claim recites *"the control tree is a logical representation of a control taxonomy that is associated with a graphical user interface (GUI)"*. In other words, the "control tree" is a logical representation of the conceptual view of a collection of classes associated with a GUI. The Examiner interprets instantiated class objects implementing a GUI as "logical representation" of a "conceptual view" of a collection of classes associated with a GUI. Similarly, *"mapping the request to a control tree"* can reasonably be interpreted to mean, identifying the entire relevant instantiated classes/objects implementing the requested GUI. Anuff inherently teaches identifying the entire relevant instantiated classes/objects implementing the requested GUI. He further teaches, with regard to Fig. 4, that these back end controls/objects are related hierarchically to one another, e.g., A owns B and A is a subclass of B. Thus Anuff teaches mapping the request to a control tree wherein the control tree includes a set of controls which are related hierarchically to one another. He also teaches that the control tree includes at least one portlet control that represents at least one portlet (e.g., Module 29 in Fig. 4, see c6:21-32, and modules 26 in Fig. 2. Additionally see the "Response to Arguments" section hereinabove).

advancing the control tree through at least one lifecycle stage based on the request, wherein the set of controls in the control tree operates to interact with each other and produce response based on the request in the at least one lifecycle stage; (For a control, the lifecycle is defined in the instant disclosure, by a set of methods representing stages in the lifecycle. Life cycle stages are illustrated in Table

3 and appear to be nothing more than various stages of an object, instantiated from a class in the context of OOP, during runtime. Therefore, Anuff's controls for generating a portal GUI, implemented using objects in OOP, inherently advances the objects implementing the GUI through at least one lifecycle stage, e.g., at least the "Init" stage that allows a control to perform initialization based on interaction with each other in order to produce the response, i.e., the GUI, based on the request).

providing the request to a portlet container that contains the at least one portlet; (Anuff teaches server processes 12a-12n that serve as portlet containers. See Fig. 1, c3:58-65.) ***and***

aggregating the output of each of the at least one portlets and providing the output to the GUI; (In this context, "*providing the output to the GUI*", is interpreted to mean rendering the output on the display device. Anuff clearly teaches this limitation as shown in Fig. 2).

For claim 46, Anuff teaches a computer implemented ***method for rendering a graphical user interface (GUI)*** (see the GUI in Fig. 2), ***comprising:***

accepting a request; (e.g., accepting a request from a browser in a client device 10 sent to a server device 12. See Fig. 1, c3:1-24.)

mapping a request to a control tree factory; (e.g., mapping the request for content from a browser in a client device 10 to the appropriate server 12 hosting the content. See Fig. 1, c3:58-65.)

generating the control tree from the factory; (e.g., generating the entire relevant instantiated classes/objects implementing the requested GUI together with their interrelationships with each other at the server.)

evaluating the control tree based on the request; (e.g., performing respective processing of relevant classes based on the request, inherent in the reference.) ***and***

providing a response, (e.g., GUI contents as illustrated in Fig. 2 are provided by the servers 12 as response to the request for content from browser in client device 10.)

wherein the control tree represent a particular instance of a control taxonomy and a control within the control tree represents a corresponding graphical and functional element in a web application and operates to process the request, interact with each other and produce a response. ("Taxonomy" is an orderly categorization of elements according to their relationships. Thus the entire relevant instantiated classes/objects implementing the requested GUI represent a particular instance of a control taxonomy, such as one illustrated in Fig. 4. Anuff teaches throughout the reference how various controls operate with each other in order to process the request and provide the response for the request. See sections such as 3.1 Components, 3.2 Managers and Services, 3.3 Modules etc.)

For claim 3 and 32, Anuff further anticipates ***generating a response wherein the response can be used to render at least a portion of the GUI.*** (Since the response from servers 12a-12n are used to display modules 26 in portal front page.

These modules are objects that encapsulate a specific, bounded portion of the GUI, and allow that portion to be administered as a unit. For example, a module might display news, sports scores, stock quotes, or weather forecasts. See c3:2-24 and c6:22-31.)

For claim 4, 18 and 33, Anuff further anticipates ***wherein the step of generating a control tree from the factory comprises: creating a metadata representation of a control tree; and generating a class to construct the control tree based on the metadata representation.*** (See c6:34-46.)

For claim 5, 19 and 34, Anuff further anticipates ***wherein the request is a hypertext transfer protocol request (HTTP);*** (See c6:57-58) ***and the request originates from a web browser.*** (See 16 in Fig. 1.)

For claim 6, 20 and 35, Anuff further anticipates ***providing the response to a web browser.*** (See Fig. 1, Fig. 2, c13:53-55)

For claim 7, 21, 36, and 47, Anuff further anticipates ***wherein the control tree is advanced through the at least one lifecycle stage by an interchangeable lifecycle component.*** (Regarding an “interchangeable lifecycle component” the disclosure

mentions, in regard to Fig. 8, "The control container can use an interchangeable lifecycle driver 804 to drive the control tree through a sequence of states so that the request can be processed. As with the interchangeable persistence driver, an interface is provided to isolate lifecycle driver implementation details from the control container. This allows for different lifecycle implementations to be interchanged as needed". As for what constitutes the "interchangeable lifecycle driver/component", a reasonable interpretation would be, in absence of any explicit definition of the term in the disclosure and without importing limitations from the disclosure into the claim, to be objects/processes arbitrarily combined or divided into separate software, firmware or hardware components responsible to instantiate and carry out the run-time processing of the relevant classes/objects implementing the requested GUI which is inherent in Anuff.)

For claim 8, 22 and 37, Anuff further anticipates ***wherein each one of the set of controls can have an interchangeable persistence mechanism.*** (Anuff teaches object persistence using suitable database interface. See c4:16:32 and c5:45-48.)

For claim 9, 23 and 38, Anuff further anticipates ***wherein each one of the set of controls can render itself according to a theme.*** (See c8: 22-49.)

For claim 10, 24 and 39, Anuff further anticipates ***wherein each one of the set of controls can interact with another one of the set of controls***; (See c4: 60-61.)

For claim 11, 25 and 40, Anuff further anticipates ***wherein one of the set of controls can advance through the series of at least one lifecycle stage in parallel with another of the controls***. (Since in OOP, objects can be instantiated in parallel and individually carry on their run-time processing in parallel with another object. Anuff also teaches multithreaded module preparation, c14:31-41.)

For claim 12, 26 and 41, Anuff further teaches ***wherein a lifecycle stage is one of: init, load state, create child controls, load, raise events, pre-render, render, save state, unload and dispose***. (Implicitly taught since objects apparently follow these stages in OOP which is well known to a person of ordinary skill in the art.)

For claim 13, 27 and 42, Anuff further anticipates ***wherein the response is an hypertext transfer protocol (HTTP) response***. (See c6:61-65.)

For claim 15, 29 and 44, Anuff further anticipates ***wherein each one of the set of controls can be one of: Book, Page*** (see c4:65), ***Window, Menu, Layout*** (see

c4:66), **Portlet** (modules, c4:65), **Theme, Placeholder, Shell, LookAndFeel, Desktop, Body, Footer, Header, Head, Titlebar, ToggleButton, TreeView, TreeViewWithRadioButtons.**

For claim 48, Anuff further teaches **a “wire-up” service is used in the control tree factory that cause the control tree factory to return a root of a control tree.** (E.g., a network connectivity component of a server 12 can be interpreted as a “wire-up” service in the server 12 which is necessarily used to provide the root, i.e., the topmost building block of a requested portal page which could be the portal front page.)

For claim 49, Anuff further teaches **associating a context with a root of the control tree.** (E.g., Fig. 4 illustrates associating a “PortalPageContext” which is associated with the Portal Front page.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 14, 28 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff.

For claim 14, 28, and 43, Anuff does not explicitly teach that controls can raise events and respond to events. However, he explicitly teaches that an object model comprises a collection of objects that work together in documented relationships. Official notice was taken in the previous office actions that in object oriented programming communication/co-operation between objects using events was well known in the art at the time of the invention. Therefore, if not already implicitly taught by Anuff, it would have been obvious to a person of ordinary skill in the art to modify his invention so that controls can raise events and respond to events. The motivation for such modification would have been necessitated by the very nature of the GUI (portal) which is an interactive application and it is well known to a person of ordinary skill in the

art that such applications are well suited for an event-driven implementation. Applicants have not challenged the Official Notice in the Reply and therefore appear to have conceded that such was prior art knowledge.

Response to Arguments

Applicants' arguments filed 06/13/2008 have been fully considered but they are not persuasive.

Applicants concede that Anuff discloses the back end processing components/objects implementing a requested GUI. However, argues that such back end processing components/objects implements or create but do not represent and correspond to graphical and functional elements in web applications that is associated with a control taxonomy. Therefore, Applicants alleged that the interrelationship among relevant back end processing components/objects cannot anticipate or render obvious the control tree in present invention as embodied in claim 1. (See page 10 in Remarks). The Examiner disagrees. The claim requires mapping the request to the control tree. First let us consider what is meant by "*the control tree*". The claim defines a "*control tree*" as "*a logical representation of a control taxonomy that is associated with a graphical user interface (GUI)*". So what is "*a control taxonomy that is associated with a graphical user interface*"? According to the instant disclosure, "*controls*" represent "corresponding graphical and functional elements in web applications ... In one embodiment, a control can be implemented as one or more classes in an object oriented programming

paradigm". Emphasis added, see [0028]. Therefore, "*a control*" is a "class" (in object oriented programming paradigm, hereinafter referred to as OOP) which is a logical representation of a corresponding graphical and functional element in a web application. Therefore "*a control taxonomy*" is merely a conceptual view, held by for example a developer, of a collection of classes implementing (e.g., associated with) a graphical user interface arranged into various categories. The claim recites "*the control tree is a logical representation of a control taxonomy that is associated with a graphical user interface (GUI)*". In other words, the "*control tree*" is a logical representation of the conceptual view of a collection of classes associated with a GUI. The Examiner interprets instantiated class objects implementing a GUI as "logical representation" of a "conceptual view" of a collection of classes associated with a GUI. Therefore, the back end relevant classes/objects implementing or creating the GUI as taught by Anuff, can also be seen as representing and corresponding to graphical and functional elements in web applications that is associated with a control taxonomy.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHEDUL HASSAN whose telephone number is (571)272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rashedul Hassan/
Examiner, Art Unit 2179

/Weilun Lo/
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